

(TO PLAINTIFF'S ATTORNEY: PLEASE CIRCLE TYPE OF ACTION INVOLVED: CONTRACT TORT
MOTOR VEHICLE TORT EQUITABLE RELIEF OTHER)

Commonwealth of Massachusetts

BARNSTABLE, ss.

SUPERIOR COURT
No. BACV2004-00539-A

Kevin Kilelee, Plaintiff

vs.

DOW Chemical Company, Defendant

SUMMONS

To the above-named defendant :

You are hereby summoned and required to serve upon Attorney David G. Francis,
plaintiff's attorney, whose address is
700 Pleasant Street, New Bedford, MA 02740, an answer to the
complaint which is herewith served upon you, within 20 days after service of this summons upon you,
exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the
relief demanded in the complaint. You are also required to file your answer to the complaint in the office
of the Clerk of this court at Barnstable either before service upon plaintiff's attorney or within a reasonable
time thereafter.

Unless otherwise provided by Rule 13(a), your answer must state as a counterclaim any claim which
you may have against the plaintiff which arises out of the transaction or occurrence that is the subject
matter of the plaintiff's claim or you will thereafter be barred from making such claim in any other action.

Witness, SUZANNE V. DEL VECCHIO Esquire, at Barnstable, the 9th
day of September in the year of our Lord two thousand and 04.

Seth W. Nickerson Clerk

NOTE: When more than one defendant is involved, the names of all defendants shall appear in the caption. If a
separate summons is issued for each defendant, each should be addressed to the particular defendant.

NOTICE TO DEFENDANT

You need not appear personally in court to answer the complaint but if you claim to have a defense,
either you or your attorney must serve a copy of your written answer within 20 days as specified
herein and also file the original in the Clerk's office.